App F IX

Previous References
Ml 141-46 (1-2)
Ml 88-43 (141,142)

Later References

1948-49
(Ml)

File No 1774
Serial Nos 1,2

GENERAL AND REVENUE SECRETARIAT

Serial Nos Two

P 23 (V)

Part B for Nov 48

SUBJECT

Disposal of Conservancies in Mysore City

L 5351/D 16-11-48

To The Chairman, C I T B
Mysore

States that there is no need to reconsider the orders already passed

L. 5352/D 16-11-48
Ml Emr Mysore City Through the Asst

Continuation Sheet | File No / Current No | of | Page

From the chairman
Trust Board, Mysore

No B1 M - 153 - 155 - /46 & 7-10-4

Requests sanction to the resolution of the Trust Board to re-vest the management and disposal of the conservancies in the Trust Board, the realisable of any leeway created to the municipal funds

1) submitted

In this office letter of 31-1-47 it was stated that the management of the conservancy lanes vests in the municipal council when they are once formed by the Trust Board This order was based on the legal opinion furnished in this connection - Vide para 12 of the note of the collection No 141-46-1,2 (Pg 2) put up

2) In the above circumstances, it is for orders of the previous decision of the Govt may be re-considered and the proposal of the Trust Board sanctioned

3) Pl put up a copy of the Mysore City Improvement Trust Board Act & the Business Manual

Sd/-
B/11
P 3/1/47

2017/L

Continuation Sheet | File No / Current No | of | Page

4) submitted with a copy of the Myrmecophagous Improvement Trust Board Act-Ref
from 3 supra
No 8/11 Pg 8 11-67 dated 16 11 1965 it has been
laid down that the Myrmecophagous
MLA may dispose of the conserving lands
in areas where most flood damage has been
(especially the effected)
(Fig B)
laid this order was passed after consulting
the Director of Public Health the Improvement
Committee of the Myrmecophagous Improvement Trust
Board & the Myrmecophagous Improvement Trust Board
have requested that the conserving lands
formed in the Jawan extension in Myrmecophagous
city maybe re-vested in them so that
they might have the power to dispose
of the same After Making the legal opinion
on the point the Trust Board were informed
that unless these lands are revested by
transfer by the Govt to the Board with the
result of the city of Myrmecophagous Improvement Trust
they continue to vest in the MLA, Myrmecophagous
the Trust Board now want that the said
Conserving lands maybe revested in it
the realizations being credited to the
ML fund

7 It was indeed difficult to understand how the present arrangement of management [illegible] was made when [illegible] circumstances would [illegible] useful either for the Trust Board or the MLCL [illegible] see any [illegible] purpose for the Trust Board [illegible] Conservancy Lane [illegible] the Trust Board [illegible] Lands now vest in the MLCL and [illegible] MLCL is competent to dispose of the same [illegible] there is no necessity [illegible] Conservancy Lands in the Trust Board [illegible] has already agreed to the procedure [illegible] Sanctioned by [illegible] dated 16-11-1945 — for enabling their deposit when [illegible] by the MLCL itself [illegible] might lead to unnecessary complications especially in regard to the creating of the funds that would be realised by the deposit of such lands and it seems best to avoid it — in the interests of both the MLCL & the Trust Board the present orders in regard to their deposit

[Mr Lee Rand [illegible] in the repeople 1947-46-1948) → fig 2

fig 3

2017/6 re disposal of conservancy moorings 4

(14) May therefore Hand as no useful purpose would be served by altering it

Newsey 10/11/47

8) This matter may perhaps be better disposed of after a personal discussion with the Chairman when the Minister visits Liverpool

9) Otherwise the existing orders in the matter need no modification in the light of facts set forth in the Asst Secy's note above

& Ludnespri's Minister for Fuel Manchester C Rds & Rlwys

8 14/11/47

-With the Trade Board for the Barrow Fuel Purposes Hand

(92) 20 11 47

9) I see no reason to change the orders already passed. Pilcher 19/11/47

8 19/4

OFFICE OF THE MINISTER FOR FINANCE & INDUSTRIES
No 439
Date 20/11/47

10) The previous order only says that the management of the conservancy lanes rests at present

in the municipal council and that it is
open to the first for purposes of this Act to
transfer to and vest in the Board any lands
belonging to the first or the Municipal Council"
The question therefore is whether in the circumstances
it is not desirable to vest the conservancy lands
in the Trust Board The resolution of the Trust
Board dated 26th Sept 1947 which says "A
reference may be made to first to reconsider their
order etc is not a correct statement of the
position first took up in their order, which leaves
it open for the first to vest these lands in the
Trust Board The objection of the Municipal
Council or perhaps the members of the Municipal
Council represented on the Board is not against
the proceeds of the Board attending to the
work of disposal of the conservancy lands
but against the proceeds from such disposal
being credited to Trust funds their contention
is that the proceeds should be credited to the
Municipal funds The present reference is
in favour of this stand and seeks the views
of first in the matter of revesting the management
and disposal of the conservancy lands in
the Trust Board under s 21 of the Act

Disposal of conservancy
in Mysore 2017 √ 4833/ml

439

the realisations being credited to the Municipal
Funds In view of the fact that the underground
drainage works are being attended to by the Mysore
Board and the connections must be in the
conservancy lanes it is perhaps desirable that
they are revested in the Mysore Board and disposed of
by the Board - though the proceeds are to be credited
by the Municipal Council The opinion of
the Municipal Council on the matter may be
obtained

Secy
28/2

28/2

11) A draft letter is submitted
Secy 1/3 Pr. Secy

12) Issued
2/3/48

To,

The Hd Commr, Mysore city

2 15-4-48 & 1/4/48

calls for the opinion of the

Govt Secy
Mysore 1/4

Disposal of conservancies
in Rythe etc

From the President, Rythe etc. etc.
No 175 P139/47 of 13/8/48
To the resolution of the
meeting in the matter

13) The report of the
Municipal Commissioner,
Rythe etc. in regard to the
disposal of conservancies
in Rythe etc. is submitted
for perusal with reference
to item 10 of the notes

14) The municipal council
is of opinion that the disposal,
supervision and control of the
conservancy lanes in Rythe
etc. must vest in the municipal
council and not ~~with~~ in the
Trust Board for the reason
that the administration and
maintenance and control.

re disposal of conservancy lanes
in Sydney &c-

4833 / 6992/ml

1) The conservancy lanes and repairs & maintenance of the underground drainage is being attended to by the M.M.C.

15) ~~Orders~~ In view of the above opinion of the M.M.C. it is ~~not necessary~~ for orders whether the streams orders of 30th & 31-1-47 (flag Z) require to be re-considered

16) For orders - Reference para 10 supra

17) 8 - 7/6/48 for 6 hrs

18) There is no doubt whatever that the Conservancy lanes within municipal limits and under its management do vest in the Council

21/10 for 21/10

1328/5/6

Minutes (Three & Duos)

4/6/48

Mr. Secretary for Public Works
Reference No. 4192
Date 7/6/48

Office of the Minister for Public Works
3737

9 Disposal of enclosures 6992/
in Mysore etc

(9) Submitted with a draft letter, rejecting the proposal of the Trust Board
- vide orders at para 18 below

Issue
3/11

Issue
3/11/45

To,
The Chairman Mysore TB
No L 5351/21177-48-1
16-11-45

Issue

B
15/11/45

1 L-153-155/46-47 Lr Mh 177-48-1

Office of the Chairman
City Improvement Trust Board

Mysore Dated 6th October 1947

From N S Hirannayya Esq M A
CHAIRMAN CITY IMPROVEMENT TRUST BOARD
MYSORE

To Syed Abdul Aleem, Esq, B A,
SECRETARY TO THE GOVERNMENT OF
HIS HIGHNESS THE MAHARAJA OF MYSORE
REVENUE DEPARTMENT BANGALORE

Sir, Sub - Disposal of conservancies

With reference to your letter No 10771/M1 141-46-2 dated the 31st January 1947 stating that the management of the conservancy lanes vests in the Municipal Council unless it is revested in the Trust Board by Government under Section 24 of the City Improvement Trust Boafd Act, I have the honour to state as follows -

The disposal of conservancies wherever such disposal is in accordance with the instructions of Government communicated in the Appendix 'A' to Government Order No L 3865-72/M1 88-43-142 dated the 16th November 1945 was till recently being done by the Board and the money realised therefrom credited to the Trust Board Funds The objection raised by the Members of the Municipal Council represented on the Board is not against the procedure of the Board attending to this work Their contention is that the proceeds from the sale of such bits of land should be credited to the Municipal Funds

Instructions of Government were therefore solicited on this point in this office letter No B1 M 153-155/46-47 dated the 29th December 1946 with a request to intimate if sanction of Government has to be obtained to revest in the Board the management of the conservancies so that the Board can as before continue to dispose them wherever necessary This has been replied in the affermative in your letters referred to above

These conservancies were an indispensable feature of all layouts before the advent of underground drainage though they are otherwise a source of nuisance and even dang r to the health, and they have all been formed by the Trust Board out of their funds They become un-necessary wherever underground drainage is provided by the Trust Board The realisation by the sale of these lanes originally formed at the cost of the Board wholly or partly as the case may be ought to legitimately go to the Trust Board Funds and as a corollary even their disposal ought to vest in the

Board as was in fact being done till recently The Board in their Resolution No 145 dated the 24th September 1947 have resolved that a reference may be made to Government to reconsider their Order and to vest disposal of conservancies with the Trust Board, the funds if any realised being credited to Municipal Funds A copy of the Resolution is also enclosed

Under the above circumstances, I request that orders of Government may kindly be obtained and communicated very early in the matter of re-vesting the management and disposal of the conservancies in the Trust Board under Section 24 of the Act, the realisation if any being credited to the Municipal Funds

I have the honour to be,
Sir,
Your most obedient servant,

Chairman

HRS

3

CITY IMPROVEMENT TRUST BOARD MYSORE

MYSORE,

Dated 6th October 1947

Proceedings of the ordinary meeting of the Board of Trustees for the improvement of the City of Mysore, held at the Council Hall on Wednseday the 24th September 1947

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xx xx xx

145 Office Note dated 10-9 1947 re disposal of conservancies in Mysore City

A reference may be made to Government to reconsider their order and to vest disposal of conservancies with Trust Board, the funds if any realised being credited to Municipal funds

xx xx xx

xx xx

(Sd) N S Hirannayya
Chairman

" Copy "

HRS

Chairman

Appendix F G—11

No 4

SUBJECT

Section

File No

Serial No

Diary No of letter replied to 2017

No L 15424/E

To

The Hon Chairman, Typhoon Relief Committee

In forwarding herewith a copy of letter No BI 17-153-155/46-47 dt 7-10-47 received from the Chairman, C & T Board, typhoon relief committee, I am directed to request you to obtain and forward the opinion of the typhoon relief committee

General and Revenue Secretariat

( )

the *19*

Date of issue 6-11-47

Signed by TS

pl type

List of enclosures

Copied by

Examined by

WD 0686—GPB—8 000—9-8-47

s to whether it is not desirable
that the conservancy lanes
are vested in and disposed of by
the Trust Board, though the proceeds
are may be credited by to the
municipal council, owing to the
fact that the underground
drainage works are
being attended to by the
Trust Board & the connections lie
in the Conservancy lanes

I have the
honour
to be
Sir
Your
obedient
servant

For
2 3 4th

M 153-155/46-47

Office of the Chairman
City Improvement Trust Board

Mysore Dated 11th February 1948

rom P Sitaramiah,Esq ,B A ,B L ,
CHAIRMAN CITY IMPROVEMENT TRUST BOARD
MYSORE

Syed Abdul Aleem,Esq ,B A ,
SECRETARY TO THE GOVERNMENT OF
HIS HIGHNESS THE MAHARAJA OF MYSORE
REVENUE DEPARTMENT BANGALORE

4833
17 FEB 1948
FINANCE

ir

In continuation of this office letter No Bl M 153-155/46-47 dated the 7th October 1947 re disposal of conservancies in the City of Mysore, I have the honour to request you kindly to obtain and communicate the orders of Government in the matter early

I have the honour to be,
Sir,
Your most obedient servant,

Chairman

HRS

Mys P 139 W&D 2d3

GENERAL & REVENUE SECRETARIAT 6992 MAY 1948 SECRETARIAT BRANCH

Office of the President
City Municipal Council Mysore
Dated 13-5-48

No

From

MUNICIPAL SOCIETY 1745 PRESIDENT OF MYSORE

Sitaramiah Esq BA BL
President City Municipal Council
Mysore

To

Janab Syed Abdul Aleem, B A ,
Secretary to Government,
Revenue Department,
Bangalore

Sir

I have the honour to forward herewith the letter from the Commissioner Mysore City Municipality regarding disposal of conservancy lanes etc.,

~~I have the honour to request you~~ for information of Government

I have the honour to be
Sir
Your most obedient servant

President

Passed on to Mr Meeran

17/5/48 for me

No
Encl

City Municipal Office

Mysore Dated- 12-5- 1948

FROM

N S HIRANNAYYA Esq MA
Municipal Commissioner
MYSORE CITY

To

Syed Abdul Aleem, Esq , B A ,
Secretary to the Government of His Highness
the Maharaja of Mysore, Revenue Department,
BANGALORE

Thro of The Pres d' C N Mc 2 s—

Sir,

Subject - Disposal of Conservancies

30/12 CW

With reference to your letter No L 15424/E dated 1-4-48 requesting to forward the opinion of the Municipal Concil in the matter of revesting the management and disposal of the conservancies in the Trust Board though the proceeds may be credited to the Municipal Council etc , I have the honour to state that the subject came up before consideration of the Municipal Council at the meeting held on 30-4-48 and the council after considering all aspects of the case have expressed the opinion that the disposal, supervision and control of the conservancy lanes in the City must vest with the Municipal Council and not with the Trust Board as the administration and control of the conservancy and repairs and - maintenance of the underground drainage is now with the - Municipality A copy of the resolution No 847 dated 30-4-48

P T O

5 9

is also enclosed for kind information

I have the honour to be,

Sir,

Your most obedient servant,

N Vaidyanathan

Municipal Commissioner

PSK

Proceedings of the ordinary General Meeting of the Mysore City Municipal Council held on Friday the 30th April 48 at 4 P M in the Municipal Offices

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847 Letter No L 15424 /E d ted 1-4-48 from the Secret ry to Government Revenue Department, Bangalore requesting to obtain and forward the opinion of the Municipal Council as to whether it is not desirable that the conservancy lanes are revested in and disposed of by the Trust Board though the proceeds may be credited to the Municipal Council in view of the fact that the underground drainage works are being attended to by the Trust Board and the connections lie in the conservancy lanes

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The Municipal Council is of opinion that the disposal, supervision and control of the conservancy lanes in the City must vest with the Municipal Council and not with the Trust Board for the reason that the administration and maintenance and control of the conservancy lanes concerned vests with the Municipality

Sd P Sitharamiah
President

Copy

Municipal Commissioner

PSK

L 53571
16-11-48

Rl 177-48 2

C No
Ref on Pet No } 19 —19
App No

Dis No

Enclosure Dated
Approved on
Copied on by
Examined on by
Signed on Despatched on
Entered in—
Current
Petition } Register on
Appeal } By
Periodical
Reminded on

WD 0639—GBP—75 000—15 6 45

DRAFT

2 copies

To

The Chairman, C & T Board, Mysore

Docket Abstract

Appointment of Trustees for the preparation of school sites in the Dharwar-

Sir

With reference to your letter No 31, 153-155/46-47 & 7-10-47 requesting orders on the proposal of the Board to vest in them the disposal of the conservancy lanes in Mysore city, the realisation of Rent, being vested in the funds of the Mysore city Municipality, I am directed to state that ~~you consider that~~ there is no need to re-consider the orders already passed & conveyed to you in this office letter No

fly 2 / L 10771/Rl 141-46-2 & 31-1-47

2 I am to add that the conservancy lanes within the municipal limits and under its management, should vest in the municipal council.

Yours faithfully,

5/11/48

Rev Secy

P T O

Recd dt 5352 16-11-48

copy of telegram is forwarded w/c to the Municipal Comm., Mysore as - though the President - with reference to his office letter No 175 P 139/47-48 dt 13-5-48 on the subject

Sd

[signature] 5/11/48

for Secy

13

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

General and Revenue Secretariat

L535/ML1M/47-8-1 Dated Bangalore 16-11-1948

The Secretary to the Government of
His Highness the Maharaja of Mysore
Revenue ~~xxxxxxx~~ Department

To

The Chairman,
City Improvement Trust Board,
Mysore

Sir,

With reference to your letter No B1 M 153-155/46-47 dated 7th October 1947 requesting orders on the proposal of the Board to vest in them the disposal of the conservancy ~~xxx~~ lanes in Mysore City, the realisations therefrom if any, being credited to the funds of the Mysore City Municipality, I am directed to state that there is no need for reconsider th the orders already passed and conveyed to you in this office letter No L 10771/M1 141-46-2 dated 31st January 1947

2 I am to add that the conservancy lanes within the municipal limits and under its management, vest in the Municipal Council.

Yours faithfully,

Sd/- Syed Abdul Aleem,
Secretary to Government,
Revenue Department

-14

Memo, No. L 5352 / Md 177-48-1 16-11-48

Dated, Bangalore, the 16-11-48 ೨೭೭

Copy of the foregoing is forwarded, with compliments, to the Municipal Commissioner, Mysore City, through the President, with reference to his office letter No M5 P 139/47-48 dated 13th May 1948 on the subject

By Order,

For Secretary to Government
Revenue Department

Notes ——————— 9 Pages

Correspondence —— 14 Pages